

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

-v-

SABJA KHIMANI,  
RIYAZ MAZCURI,  
a/k/a "The Doctor,"  
RASHMIKANT PATEL, and  
MEHMOOD HASSANALI DHANANI,  
a/k/a "Sam,"  
a/k/a "Mehboob,"

Defendants.

- - - - -X

SEALED  
INDICTMENT

14 Cr.

**14 CRIM455**

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/9/14
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COUNT ONE  
(Forced Labor Conspiracy)

The Grand Jury charges:

Background

1. SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, were members of a criminal group that operated in the Southern District of New York and elsewhere. The group planned and committed human trafficking offenses, principally by hiring female dancers in India under the false pretense that they would perform Indian cultural programs in the United States and then, once they arrived in the United States, forcing them to dance in nightclubs in front of crowds of men for twelve to fourteen hours per night, seven nights per week, and pressuring certain

JUDGE GARDEPHE

2. performers to engage in prostitution. The group confiscated the dancers' passports once they were in the United States and, when they were not performing, confined the dancers to houses and hotel rooms against their will. The group further made false statements in visa applications to obtain permission for the performers to enter the United States.

The Violation

2. From at least in or about 2008, up through and including in or about 2010, in the Southern District of New York and elsewhere, SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Sections 1589(a), 1589(b) and 1592.

3. It was a part and an object of the conspiracy that SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly, would and did provide and obtain the labor and services of persons, by means of force, threats of force, physical restraint, and threats of physical restraint to those persons, by means of serious harm and threats of serious harm to those persons, by means of abuse and threatened abuse of

law and legal process, and by means of a scheme, plan, and pattern intended to cause those persons to believe that, if those persons did not perform such labor and services, those persons would suffer serious harm and physical restraint, in violation of Title 18, United States Code, Section 1589(a).

4. It was further a part and an object of the conspiracy that SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly, would and did benefit, financially and by receiving things of value, from participation in a venture which engaged in the providing and obtaining of labor and services by the means described in Title 18, United States Code, Section 1589(a), knowing and in reckless disregard of the fact that the venture engaged in the providing and obtaining of labor and services by such means, in violation of Title 18, United States Code, Section 1589(b).

5. It was further a part and an object of the conspiracy that SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly, would and did conceal, remove, confiscate, and possess actual and purported passports and other immigration documents, of other persons, in the course of a

violation of Title 18, United States Code, Section 1589, and with the intent to violate that statute, in violation of Title 18, United States Code, Section 1592.

Overt Act

6. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about August 1, 2008, RASHMIKANT PATEL, the defendant, caused a letter to be issued by a labor union located in New York, New York.

(Title 18, United States Code, Section 1594(b).)

COUNT TWO  
(Visa Fraud Conspiracy)

The Grand Jury further charges:

7. From at least in or about 2008, up through and including in or about 2010, in the Southern District of New York and elsewhere, SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1546(a).

8. It was a part and an object of the conspiracy that SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly would and did make under oath, and under penalty of perjury under Title 28, United States Code, Section 1746, did subscribe as true, a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, and did present such application, affidavit, and other document which contained such false statement and which failed to contain any reasonable basis in law or fact, in violation of Title 18, United States Code, Section 1546(a).

Overt Act

9. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about August 1, 2008, RASHMIKANT PATEL, the defendant, caused a letter to be issued by a labor union located in New York, New York.

(Title 18, United States Code, Section 371.)

COUNT THREE  
(Visa Fraud)

The Grand Jury further charges:

10. From at least in or about 2008, up through and

including on or about July 15, 2009, in the Southern District of New York and elsewhere, RASHMIKANT PATEL, the defendant, willfully and knowingly did make under oath, and under penalty of perjury under Title 28, United States Code, Section 1746, did subscribe as true, a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, and did present such application, affidavit, and other document which contained such false statement and which failed to contain any reasonable basis in law or fact, to wit, PATEL caused to be submitted to the United States Department of State documents in support of a visa application for an Indian performer that contained materially false and fraudulent statements.

(Title 18, United States Code, Section 1546.)

COUNT FOUR

(Foreign Labor Contracting Fraud Conspiracy)

The Grand Jury further charges:

11. From at least in or about 2008, up through and including in or about 2010, in the Southern District of New York and elsewhere, SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States

Code, Section 1351(a).

12. It was a part and an object of the conspiracy that SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, and others known and unknown, willfully and knowingly, and with the intent to defraud, would and did, recruit, solicit, and hire persons outside the United States and caused other persons to recruit, solicit, and hire persons outside the United States, and attempted to do so, for purposes of employment in the United States by means of materially false and fraudulent pretenses, representations and promises regarding that employment, in violation of Title 18, United States Code, Section 1351(a).

Overt Act

13. In furtherance of said conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about August 1, 2008, RASHMIKANT PATEL, the defendant, caused a letter to be issued by a labor union located in New York, New York.

(Title 18, United States Code, Section 371.)

Forfeiture Allegation as to Count One

14. As the result of committing the forced labor offense alleged in Count One of this Indictment, SABJA KHIMANI, RIYAZ MAZCURI, a/k/a "The Doctor," RASHMIKANT PATEL, and MEHMOOD HASSANALI DHANANI, a/k/a "Sam," a/k/a "Mehboob," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 1594(d), their interest in any property, real and personal, that was used or was intended to be used to commit and to facilitate the commission of the forced labor offense alleged in Count One, and any property, real and personal, that constitutes or is derived from any proceeds obtained, directly or indirectly, as a result of the forced labor offense, and pursuant to Title 18, United States Code, Section 1594(e), any property, real and personal, used or intended to be used to commit or to facilitate the commission of the forced labor offense alleged in Count One, and any property, real and personal, constituting or derived from proceeds traceable to the forced labor offense.

Substitute Asset Provision

15. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited



with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said defendants up to the value of the forfeitable property.

(Title 18, United States Code, Section 1594, and Title 21, United States Code, Section 853.)

Forfeiture Allegation as to Count Three

16. As the result of committing the visa fraud offense alleged in Count Three of this Indictment, RASHMIKANT PATEL, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(6)(A), any conveyance, including any vessel, vehicle or aircraft used in the commission of the offense, any property, real and personal, that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense, and any property, real and personal, that was used to facilitate, or was intended to be used to facilitate, the commission of the offense.

Substitute Asset Provision


17. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 982, and Title 21, United States Code, Section 853.)

  
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FOREPERSON

  
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PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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Defendants.

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INDICTMENT

14 Cr.

(18 U.S.C. §§ 371, 1546 an 1594.)

Preet Bharara  
United States Attorney.

A TRUE BILL

  
Foreperson.

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7/9/14 - Filed Sealed Indictment  
ce H/W issued.  
Judge Park  
USMD